
Introduced by Senator Harman

February 15, 2011

An act to amend Section 23399.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 346, as introduced, Harman. Alcoholic Beverages: licensing.

Existing law makes it unlawful for any person other than a licensee of the Department of Alcoholic Beverage Control to sell, manufacture, or import alcoholic beverages in this state. Existing law allows the serving of alcohol without a license or permit in a limousine or as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages.

This bill would additionally allow the serving of alcoholic beverages without a license where the serving of alcoholic beverages is part of a gondola ride service, provided there is no extra charge or fee for the alcoholic beverages.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23399.5 of the Business and Professions
- 2 Code is amended to read:
- 3 23399.5. (a) No license or permit is required for the serving
- 4 of alcoholic beverages *as part of a hot air balloon ride service, as*
- 5 *part of a gondola ride service, or* in a limousine by any person
- 6 operating a limousine service regulated by the Public Utilities

1 Commission, provided there is no extra charge or fee for the
2 alcoholic beverages.

3 For purposes of this ~~subdivision~~ *section*, there is no extra charge
4 or fee for the alcoholic beverages when the fee charged for the *hot*
5 *air balloon ride service, gondola ride service, or* limousine service
6 is the same regardless of whether alcoholic beverages are served.

7 ~~(b) No license or permit is required for the serving of alcoholic~~
8 ~~beverages as part of a hot air balloon ride service, provided there~~
9 ~~is no extra charge or fee for the alcoholic beverages.~~

10 For purposes of this subdivision, there is no extra charge or fee
11 for the alcoholic beverages when the fee charged for the hot air
12 balloon ride service is the same regardless of whether alcoholic
13 beverages are served.